

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA AT  
ANCHORAGE

JERRY JONES, )  
Plaintiff )  
vs. ) COMPLAINT  
BLANDY XAYAVONGSY and )  
ALASKA NATIVE TRIBAL )  
HEALTH CONSORTIUM, )  
Defendants )  
\_\_\_\_\_  
Case No. 3AN-15-\_\_\_\_\_ CI

COMPLAINT

NOW COMES the Plaintiff, Jerry Jones, by and through his undersigned attorneys, James W. Crowson and Jeffrey H. Vance, and sues Blandy Xayavongsy and Alaska Native Tribal Health Consortium, Defendants, and alleges as follows:

1. Plaintiff, for all times mentioned herein, was a resident of the Borough of Anchorage, State of Alaska.
2. Plaintiff is informed and believes and therefore alleges that defendant, Blandy Xayavongsy, was and is a resident of the Borough of Anchorage, State of Alaska.
3. Plaintiff is informed and believes and therefore alleges that defendant Alaska Native Tribal Health Consortium is an Alaskan corporation, with its principal place of business in Anchorage, Alaska.
4. Plaintiff is informed and believes and therefore alleges that Nacole Heslep is the registered agent of Alaska Native Tribal Health Consortium, whose address is 4000 Ambassador Drive, Anchorage, Alaska 99508, where venue is claimed.

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5. Service of defendant Alaska Native Tribal Health Consortium its therefore proper to be made through its registered agent, Nacole Heslep, in 4000 Ambassador Drive, Anchorage, Alaska 99508.
6. Plaintiff is informed and believes and therefore alleges that, at all times herein mentioned, defendant Blandy Xayavongsy sued herein was the agent and employee of defendant Alaska Native Tribal Health Consortium and was at all times acting within the purpose and scope of such agency and employment.
7. At all times herein mentioned, defendant Alaska Native Tribal Health Consortium, Inc. was the owner of a certain 2010 Freightliner Corporation van, Alaska License No. YZB478.
8. At all times herein mentioned, plaintiff Jerry Jones was the owner and driver of a certain 2001 Dodge Ram 1500 pickup vehicle, Alaska License No. DXG558.
9. At all times herein mentioned defendant Blandy Xayavongsy was the agent and employee of Alaska Native Tribal Health Consortium and in doing the things herein alleged, was acting within the purpose and scope of this agency and employment.
10. At all times herein mentioned, defendant Blandy Xayavongsy, while working-for and on company time for Alaska Native Tribal Health Consortium, was driving and operating the 2010 Freightliner Corporation van with the consent, permission, and knowledge of defendant Alaska Native Tribal Health Consortium.
11. Alaska Native Tribal Health Consortium is liable for any negligent acts or omissions of its agent and employee, defendant Blandy Xayavongsy, under the doctrine of *Respondeat Superior*.
12. The accident described below occurred in the Anchorage Borough, and, as a result, venue properly lies with this court.
13. Jurisdiction properly lies with this honorable Court.
14. That on or about December 9, 2013, at approximately 8:02 a.m., the Plaintiff, Jerry Jones, was operating the 2001 Dodge Ram 1500 Eastbound on Northern Lights Boulevard in Anchorage, Alaska, slowing down for traffic up ahead.

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15. That on or about December 9, 2013, at approximately 8:02 a.m., Defendant Blandy Xayavongsy was operating the 2010 Freightliner Corporation van Eastbound on Northern Lights Boulevard in Anchorage, Alaska, directly behind the 2001 Dodge Ram 1500 vehicle driven by Plaintiff.

16. That on or about December 9, 2013, at approximately 8:02 a.m., Defendant Blandy Xayavongsy, negligently operated, maintained and controlled said van by failing to properly stop for the vehicle in front of him, that was stopping for traffic ahead of him.

17. That on or about December 9, 2013, at approximately 8:02 a.m., as Defendant Blandy Xayavongsy accelerated the van, the front left end of Defendant Alaska Native Tribal Health Consortium van collided into the rear right end of the 2001 Dodge Ram 1500 driven by Plaintiff.

18. That on the occasion in question the Defendant, Blandy Xayavongsy, was negligent in the following particulars, among others, to-wit:

- a. Failure to keep a vehicle under control;
- b. Failure to give full time and attention;
- c. Failure to keep a proper lookout;
- d. Failure to reduce speed to avoid collision;
- e. Unreasonable operation of a vehicle under conditions existing;
- f. Failure to obey traffic control devices;
- g. Negligent driving;
- h. Reckless driving;

19. That the collision hereinabove stated was due to the sole negligence of Defendant Blandy Xayavongsy, without any comparative negligence whatsoever by the Plaintiff, Jerry Jones.

20. As a direct and proximate result of the above-referenced collision, Plaintiff was caused to sustain severe and permanent injury; caused to incur medical bills, lost wages and expenses; and was caused to endure pain and suffering. Furthermore, Plaintiff was precluded from enjoying his usual avocations.

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21. The injuries, grievances and damages as hereinabove set forth, were caused by the carelessness, negligence, and recklessness of the Defendants as stated herein, without any carelessness or negligence on the part of the Plaintiff contributing thereto.

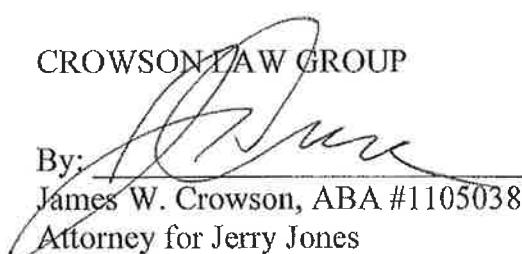
22. That as a further direct and proximate result of the negligence of Defendant Blandy Xayavongsy, the Plaintiff, Jerry Jones, has been forced to expend large sums of money for medical treatment and for medicine for the treatment of the aforesaid injuries.

WHEREFORE, Plaintiff prays judgment against the Defendants as follows:

1. For general damages.
2. For all medical and incidental expenses according to proof.
3. For all lost wages according to proof.
4. For costs of suit herein incurred.
5. That this case be tried by jury.
6. For such other and further relief as the court may deem proper.

Respectfully submitted on this the 9 day of December, 2015.

CROWSON LAW GROUP

By: 

James W. Crowson, ABA #1105038  
Attorney for Jerry Jones

By: 

Jeffrey H. Vance, ABA #0111080  
Attorney for Jerry Jones

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